

107TH CONGRESS
1ST SESSION

H. R. 2224

To amend the Low-Income Home Energy Assistance Act of 1981 to provide supplemental funds for States with programs to facilitate the collection of private donations by utilities to be used for payment of the utility bills, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2001

Mr. FORD introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Financial Services, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Low-Income Home Energy Assistance Act of 1981 to provide supplemental funds for States with programs to facilitate the collection of private donations by utilities to be used for payment of the utility bills, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Energy Efficiency and
5 Assistance Act of 2001”.

1 **SEC. 2. SUPPLEMENTAL LIHEAP FUNDING FOR STATES**
2 **WITH CERTAIN PROGRAMS.**

3 Section 2607A(b) of the Low-Income Home Energy
4 Assistance Act of 1981 (42 U.S.C. 8626a) is amended by
5 adding the following at the end thereof:

6 “The term ‘leveraged resources’ also includes any State
7 program which facilitates the collection of donations by
8 electric and gas utilities to be used by public agencies or
9 private nonprofit organizations to pay the electric and nat-
10 ural gas utility bills of individuals in households with in-
11 comes which do not exceed an amount equal to 200 per-
12 cent of the poverty level for the State concerned and other
13 individuals with insufficient financial resources to pay
14 such bills.”.

15 **SEC. 3. LIHEAP AND SUPPLEMENTAL LIHEAP AUTHORIZA-**
16 **TIONS.**

17 Section 2602 of the Low-Income Home Energy As-
18 sistance Act of 1981 (42 U.S.C. 8621) is amended as fol-
19 lows:

20 (1) In subsection (b), strike “\$2,000,000000
21 for each of fiscal years 2002 through 2004” and in-
22 sert “\$3,400,000,0000 for each of the fiscal years
23 2002 through 2005”.

24 (2) Amend subsection (d) to read as follows:

1 “(d) There is authorized to carry out section 2607A,
 2 \$100,000,000 for each of the fiscal years 2002 through
 3 2005.”.

4 **SEC. 4. ENERGY EFFICIENT HOME FINANCING.**

5 (a) RESIDENTIAL ENERGY EFFICIENCY IMPROVE-
 6 MENT LOANS INCLUDED AS QUALIFIED THRIFT INVEST-
 7 MENT.—Subclause (I) of section 10(m)(4)(C)(ii) of Home
 8 Owners’ Loan Act (12 U.S.C. 1467a(m)(4)(C)(ii)(I)) is
 9 amended by inserting “, including residential energy effi-
 10 ciency improvement loans” before the period at the end.

11 (b) PROJECTED ENERGY SAVINGS TAKEN INTO AC-
 12 COUNT IN DETERMINING LOAN ELIGIBILITY.—

13 (1) IN GENERAL.—Chapter 2 of the Truth in
 14 Lending Act (15 U.S.C. 1631 et seq.) is amended by
 15 adding at the end the following new section:

16 **“§ 140. Residential energy efficiency improvement**
 17 **loans**

18 “(a) ENERGY SAVINGS.—In making any determina-
 19 tion concerning the eligibility of any consumer for a resi-
 20 dential energy efficiency improvement loan, the creditor
 21 shall take into account the amount of the estimated future
 22 savings attributable to the improvements in energy effi-
 23 ciency.

24 “(b) FACTORS FOR CONSIDERATION.—In reviewing
 25 regulations prescribed under this title and considering pro-

1 posed regulations under this title, the Board shall
2 consider—

3 “(1) whether the regulations or proposed regulations
4 make, or could make, residential energy efficiency im-
5 provement loans more affordable; and

6 “(2) whether any changes could be made in such reg-
7 ulations to provide more flexibility for home equity loans
8 in order to make such loans more readily available to low-
9 and moderate-income consumers for the purposes of im-
10 proving residential energy efficiency.

11 “(c) RESIDENTIAL ENERGY EFFICIENCY IMPROVE-
12 MENT LOAN DEFINED.—For purposes of this section, the
13 term ‘residential energy efficiency improvement loan’
14 means any loan or extension of credit, secured or unse-
15 cured, the proceeds of which are to be used for improving
16 the energy efficiency of residential real property, including
17 the purchase and installation of alternative sources of en-
18 ergy.”.

19 (2) CLERICAL AMENDMENT.—The table of sec-
20 tions for chapter 2 of the Truth in Lending Act is
21 amended by inserting after the item relating to sec-
22 tion 139 the following new item:

“140. Residential energy efficiency improvement loans”.

23 (c) FHA.—Title V of the National Housing Act (12
24 U.S.C. 1731a et seq.) is amended by adding at the end
25 the following new section:

1 **“SEC. 543. INCENTIVES TO INCREASE ENERGY EFFICIENCY.**

2 “Not later than 12 months after the date of the en-
3 actment of the Energy Efficiency and Assistance Act of
4 2001, the Secretary shall—

5 “(1) develop and implement measures under the
6 mortgage insurance programs under this Act—

7 “(A) to provide financing incentives to im-
8 prove the energy efficiency of residential prop-
9 erties subject to mortgages insured under this
10 Act;

11 “(B) to make energy efficient mortgages
12 (as such term is defined in section 106(c) of the
13 Energy Policy Act of 1992 (42 U.S.C. 12712
14 note)) more affordable and available; and

15 “(C) to ensure that, in making any deter-
16 mination concerning the eligibility of any bor-
17 rower for a mortgage insured under this Act
18 that includes financing for any residential en-
19 ergy conservation measures (as such term is de-
20 fined in section 210 of the National Energy
21 Conservation Policy Act (42 U.S.C. 8211)), the
22 lender shall take into account the amount of the
23 estimated future savings attributable to the im-
24 provements in energy efficiency; and

1 “(2) submit a report to the Congress specifying
2 the actions taken to carry out the requirements
3 under paragraph (1).”.

4 (d) RURAL HOUSING.—Title V of the Housing Act
5 of 1949 (42 U.S.C. 1471 et seq.) is amended by adding
6 at the end the following new section:

7 **“SEC. 544. INCENTIVES TO INCREASE ENERGY EFFICIENCY.**

8 “Not later than 12 months after the date of the en-
9 actment of the Energy Efficiency and Assistance Act of
10 2001, the Secretary shall—

11 “(1) develop and implement measures under the
12 housing loan programs under this title—

13 “(A) to provide financing incentives to im-
14 prove the energy efficiency of residential prop-
15 erties purchased with loans made, guaranteed,
16 or insured under this title;

17 “(B) to make energy efficient mortgages
18 (as such term is defined in section 106(c) of the
19 Energy Policy Act of 1992 (42 U.S.C. 12712
20 note)) more affordable and available; and

21 “(C) to ensure that, in making any deter-
22 mination concerning the eligibility of any bor-
23 rower for a loan made, guaranteed, or insured
24 under this title that includes financing for any
25 residential energy conservation measures (as

1 such term is defined in section 210 of the Na-
 2 tional Energy Conservation Policy Act (42
 3 U.S.C. 8211)), the lender shall take into ac-
 4 count the amount of the estimated future sav-
 5 ings attributable to the improvements in energy
 6 efficiency; and

7 “(2) submit a report to the Congress specifying
 8 the actions taken to carry out the requirements
 9 under paragraph (1).”.

10 (e) FANNIE MAE.—The Federal National Mortgage
 11 Association Charter Act (12 U.S.C. 1716 et seq.) is
 12 amended by inserting after section 304 the following new
 13 section:

14 “INCENTIVES TO INCREASE ENERGY EFFICIENCY—
 15 FEDERAL NATIONAL MORTGAGE ASSOCIATION

16 “SEC. 305. Not later than 12 months after the date
 17 of the enactment of the Energy Efficiency and Assistance
 18 Act of 2001, the corporation shall—

19 “(1) develop and implement measures or stand-
 20 ards for loans purchased by the corporation—

21 “(A) to provide financing incentives to im-
 22 prove the energy efficiency of residential prop-
 23 erties purchased with such loans;

24 “(B) to make energy efficient mortgages
 25 (as such term is defined in section 106(c) of the

1 Energy Policy Act of 1992 (42 U.S.C. 12712
2 note)) more affordable and available; and

3 “(C) to ensure that, in making any deter-
4 mination concerning the eligibility of any bor-
5 rower for such a loan that includes financing
6 for any residential energy conservation meas-
7 ures (as such term is defined in section 210 of
8 the National Energy Conservation Policy Act
9 (42 U.S.C. 8211)), the lender shall take into
10 account the amount of the estimated future
11 savings attributable to the improvements in en-
12 ergy efficiency; and

13 “(2) submit a report to the Congress specifying
14 the actions taken to carry out the requirements
15 under paragraph (1).”.

16 (f) FREDDIE MAC.—The Federal Home Loan Mort-
17 gage Corporation Act (12 U.S.C. 1451 et seq.) is amended
18 by adding at the end the following new section:

19 “INCENTIVES TO INCREASE ENERGY EFFICIENCY

20 “SEC. 311. Not later than 12 months after the date
21 of the enactment of the Energy Efficiency and Assistance
22 Act of 2001, the Corporation shall—

23 “(1) develop and implement measures or stand-
24 ards for loans purchased by the Corporation—

1 “(A) to provide financing incentives to im-
2 prove the energy efficiency of residential prop-
3 erties purchased with such loans;

4 “(B) to make energy efficient mortgages
5 (as such term is defined in section 106(c) of the
6 Energy Policy Act of 1992 (42 U.S.C. 12712
7 note)) more affordable and available; and

8 “(C) to ensure that, in making any deter-
9 mination concerning the eligibility of any bor-
10 rower for such a loan that includes financing
11 for any residential energy conservation meas-
12 ures (as such term is defined in section 210 of
13 the National Energy Conservation Policy Act
14 (42 U.S.C. 8211)), the lender shall take into
15 account the amount of the estimated future
16 savings attributable to the improvements in en-
17 ergy efficiency; and

18 “(2) submit a report to the Congress specifying
19 the actions taken to carry out the requirements
20 under paragraph (1).”.

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